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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA**

SEAN MICHAEL HARRUM,  
  
Debtor.

Case No. 2:20-bk-00322-PS  
  
Chapter 13

U.S. BANK NATIONAL ASSOCIATION,  
  
Movant,  
  
v.  
  
SEAN MICHAEL HARRUM, Debtor; and  
RUSSELL BROWN, Ch 13 Trustee,  
  
Respondents.

**MOTION FOR RELIEF FROM  
AUTOMATIC STAY**

Re: Real Property Located at:  
8520 W Palm Ln Unit 1004  
Phoenix, AZ 85037

Movant hereby requests an order granting relief from the automatic stay of 11 U.S.C. § 362(a), to permit Movant to foreclose the lien of its Deed of Trust on real property owned by the Debtor in possession, by trustee's sale, judicial foreclosure proceedings or the exercise of the power of sale, and to obtain possession and control of the real property.

1 This motion is supported by the attached Memorandum of Points and Authorities, which  
2 is incorporated herein by this reference.

3 **MEMORANDUM OF POINTS AND AUTHORITIES**

4 On January 10, 2020, SEAN MICHAEL HARRUM (“Debtor”) filed a voluntary petition  
5 for protection under Chapter 13 of the Bankruptcy Code. RUSSELL BROWN (“Trustee”) was  
6 appointed trustee of the bankruptcy estate. The Trustee and bankruptcy estate have an interest  
7 in certain real property located in Maricopa County, at 8520 W Palm Ln Unit 1004 Phoenix,  
8 AZ 85037 , and more legally described as:

9 LOT 71, OF WESTFIELD I, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF  
10 THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 300 OF  
11 MAPS, PAGE 45.

12  
13 U.S. BANK NATIONAL ASSOCIATION, its successors and/or assigns (“Movant”) is  
14 the holder or servicer of a Promissory Note which is secured by a Deed of Trust, dated May 30,  
15 2017, and recorded in the Office of the Maricopa County Recorder’s Office on May 31, 2017  
16 as Document No. 20170397360 (“Deed of Trust”). The Deed of Trust was assigned to U.S.  
17 BANK NATIONAL ASSOCIATION by an Assignment of Mortgage recorded in Maricopa  
18 County as Document No. 20180102315. True copies of the Note, Deed of Trust and  
19 Assignment(s) are attached hereto as **Exhibits “A”, “B” and “C,”** respectively, and made a  
20 part hereof by this reference.

21 Debtor is in default on his obligation to Movant for which the property is security, and  
22 payments are due under the Promissory Note from and after December 1, 2023. The current  
23 default amount is set forth below:

24 6 Monthly Payments at \$690.35 each \$4,142.10  
25 (12/1/2023 thru 5/1/2024)

26 **TOTAL ARREARS: \$4,142.10**

27 \*To the extent Attorneys’ Fees have been requested herein, the fees requested are based upon the Movant’s fee schedule  
28 relating to Movant’s loans. Any Attorneys’ Fees requested herein have been reviewed and approved by the undersigned and  
are in compliance with the Bankruptcy Code and any applicable agreements and as required by the Court assigned to this  
matter.

1  
2 Furthermore, a payment becomes due on the 1<sup>st</sup> day of every month thereafter, and a late  
3 charge becomes due on any payment not paid within fifteen (15) days from the date the  
4 monthly payment is due.

5 Movant is informed and believes and therefore alleges that the Debtor and estate are not  
6 adequately protected based upon the Debtor's failure to make payments on a timely basis.

7 As of May 16, 2024 Debtor is indebted to the Movant in the total amount of  
8 \$110,092.89, plus accruing interest, costs and attorneys' fees.

9 **CONCLUSION**

10 Movant requests that the Court enter an order vacating the automatic stay of 11 U.S.C.  
11 § 362(a) and Movant may immediately enforce and implement the order for relief from the  
12 automatic stay as to the Debtor, his bankruptcy estate, the property, and Movant; to allow  
13 Movant to foreclose the lien of its Deed of Trust or Mortgage; to evict Debtor(s) and/or  
14 successors of Debtor(s); and to obtain ownership, possession and control of the Property.  
15 Movant further requests that any Order shall remain in effect in any bankruptcy chapter to  
16 which the Debtor(s) may convert. Movant requests the 14-day stay provided by bankruptcy  
17 rule 4001(a)(3) be waived by this bankruptcy court.  
18

19  
20 DATED this 9th day of July, 2024

21 /s/ Christina Harper  
22 Christina Harper, Esq.  
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26 Attorneys for Movant  
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